

**CITY OF FRANKFORT
CODE ENFORCEMENT BOARD MEETING
JULY 24, 2007
MINUTES**

Members Present:

Members Absent:

Mr. David Garnett
Mrs. Rona Stapleton
Ms. Vicki Pettus
Ms. Jennifer Devine Smith
Mr. George White, Jr

There being a quorum, Mr. David Garnett called the July 24, 2007 Code Enforcement Board meeting to order.

The next item of business was approval of the Minutes of the meeting of June 26, 2007. Mrs. Stapleton made a motion to accept the minutes as submitted. Ms. Pettus seconded the motion. The motion carried.

DEFAULT CASES:

- Case # 1 1209 Wilkinson Blvd.
Owner: Suter Properties LLC
Violation found was the PMC Section: 306.1 Accumulation of Rubbish or Garbage.
Fine: \$200.00 and correct within thirty (30) days of the final order.
Ms. Pettus made the motion and Mrs. Stapleton seconded the motion.
The motion passed unanimously 5-0.
- Case # 2 325 Senate Drive (Second Offense)
Owner: Janet Roark
Violations found were the PMC Sections: 302.10 Motor Vehicles; 304.7 Roofs and Drainage; 304.8 Decorative Features.
Fine: \$500.00 and correct within thirty (30) days of the final order.
Ms. Pettus made the motion and Mrs. Stapleton seconded the motion.
The motion passed unanimously 5-0.
- Case # 3 219 Laffoon Drive
Owners: Wells Fargo Bank National Association
C/o Saxon Mortgages Services Inc.
Violations found were PMC Sections: 304.7 Roofs and Drainage; 304.2 Exterior Painting.
Fine: \$500.00 and correct within thirty (30) days of the final order.
Ms. Pettus made the motion and Mrs. Stapleton seconded the motion.
The motion passed unanimously 5-0.

- Case # 4 601 McCreary Avenue
Owner: Doug Wilkins
Violations found were PMC Section: 301.3 Vacant Structures and Land
Fine: \$200.00 and correct within thirty (30) days of the final order.
Ms. Pettus made the motion and Mrs. Stapleton seconded the motion.
The motion passed unanimously 5-0.
- Case # 5 276 Johnson Avenue
Owner: Alex Stivers
C/o Shannon Ford
Violations found were PMC Section: 302.10 Motor Vehicles; 302.10.1
Junk Vehicles; 302.8 Storage of household appliances or non-outdoor
furniture.
Fine: \$200.00 and correct within thirty (30) days of the final order.
Ms. Pettus made the motion and Mrs. Stapleton seconded the motion.
The motion passed unanimously 5-0.
- Case # 6 440 Schenkel Lane (Second Offense)
Owner: QAC Properties
Violations found were PMC Section: 302.10 Motor Vehicles; 302.10.1
Junk Vehicles.
Fine: \$500.00 and correct within thirty (30) days of the final order.
Ms. Pettus made the motion and Mrs. Stapleton seconded the motion.
The motion passed unanimously 5-0.
- Case # 7 167 Hickory Drive
Owner: Kellie Hyer
Violations found were PMC Section: 302.10 Motor Vehicles; 302.10.1
Junk Vehicles.
Fine: \$200.00 and correct within thirty (30) days of the final order.
Ms. Pettus made the motion and Mrs. Stapleton seconded the motion.
The motion passed unanimously 5-0.
- Case # 8 198 Centennial Avenue (Second Offense)
Owners: Torian Properties LLC
C/o Teasley Property
Violations found were PMC Section: 302.10.1 Junk Vehicles.
Fine: \$500.00 and correct within thirty (30) days of the final order.
Ms. Pettus made the motion and Mrs. Stapleton seconded the motion.
The motion passed unanimously 5-0.

- Case # 9 125 Langford Avenue (Second Offense)
Owners: South Central Conference Association
Violations found were PMC Section: 306.1 Accumulation of Rubbish or Garbage.
Fine: \$500.00 and correct within thirty (30) days of the final order.
Ms. Pettus made the motion and Mrs. Stapleton seconded the motion.
The motion passed unanimously 5-0.
- Case # 10 696-698 East Main Street
Owners: Charles Chatham
Violations found were PMC Section: 306.1 Accumulation of Rubbish or Garbage; 304.6 Exterior Walls; 304.7 Roofs and Drainage; 304.10 Walking Surfaces.
Fine: \$200.00 and correct within thirty (30) days of the final order.
Ms. Pettus made the motion and Mrs. Stapleton seconded the motion.
The motion passed unanimously 5-0.

APPEALS:

The following list of names is the persons giving testimony at this meeting and sworn in by Mrs. Edith Noe, the Code Enforcement Board Secretary for the City of Frankfort:

Robert L. Engle, Code Enforcement Supervisor
Rick James--253 Langford Avenue
Corey O'Brien--376-378 Wallace Avenue
Mark Hayden--204 Ute Trail
Lon Whitson--204 Ute Trail

- Case # 1** 253 Langford Avenue (Tabled from May 2007 Meeting)
Owner: Paula Jennels
PMC Sections: 302.10 Motor Vehicles; 302.10.1 Junk Vehicles

The case pertaining to the premises located at 253 Langford Avenue and owned by Paula Jennels was dismissed with no action taken.

Mrs. Stapleton made the motion and Mr. White seconded the motion. The motion carried 4-1 with Mr. Garnett voting against.

Mr. Engle stated the vehicle that the property owner was cited for has been removed from the property. Mr. Logan moved to enter the packet documentation into the record in lieu of additional testimony. Mr. Rick James stated the vehicle was moved prior to the last meeting and the property was now in-compliance.

Case # 2

376-378 Wallace Avenue

Owner: MO Properties c/o Corey O'Brien

PMC Section: 304.6 Exterior Walls; 304.14 Window, Skylights, and Door Frames; 304.7 Roofs and Drainage.

Evidence establishes on the date of the citation, there were violations of the Property Maintenance Code: 304.6 Exterior Walls; 304.14 Window, Skylights, and Door Frames; 304.7 Roofs and Drainage and a fine in the amount of \$500.00 be imposed and one half of that fine be probated upon the condition no similar offenses occur within a period of one year.

Ms. Pettus made the motion and Mr. White seconded the motion. The motion carried 4-1 with Mrs. Jennifer Devine Smith voting against.

Mr. Engle gave testimony for the city. Mr. Engle stated repairs are being made on the property. Mr. Engle stated he had performed and approved rental inspections for both units. Mr. Logan moved to enter the packet documentation into the record in lieu of additional testimony.

Mr. O'Brien, part owner of MO Properties bought out his partner to become the soul owner of 376-378 Wallace Ave. Mr. O'Brien testified he was continuing to work on the property and making progress toward compliance. Mr. O'Brien said he would replace the gutters when the painting was completed.

Case # 3

204 Ute Trail

Owner: Rebecca Whitson

PMC Sections: 302.10 Motor Vehicles.

Based on the evidence provided by the city and Mark Hayden and Lon Whitson, representatives of the property owner of the premises located at 204 Ute Trail, the Board finds there was a violation of Section: 302.10 Motor Vehicles as alleged in the citation.

Based on these findings, the Board imposed a fine in the amount of \$200.00 and probates the entire amount for a period of one year upon the condition there is no similar violations during that period.

Mr. Garnett made the motion and Mrs. Jennifer Devine Smith seconded the motion. The motion carried 4-1 with Ms. Pettus voting against.

Mr. Engle gave testimony for the city. Mr. Engle state that upon Mr. Noe's initial inspection that a vehicle was parked in the grass and a notice of violation was sent to the property owner. Mr. Noe went back to do a follow-up inspection and on the re-inspection noted that the original vehicle had been moved and another vehicle was parked in the grass resulting in a citation being issued. Mr. Logan moved to enter the packet documentation into the record in lieu of additional testimony.

Mr. Mark Hayden and Mr. Lon Whitson gave testimony for the property owner. Mr. Hayden stated he parked his truck in the yard near the shed when needed, to load and unload equipment and materials. He stated the vehicles were moved daily and were left on the grass for a short time. Mr. Hayden further stated that Ute Trail was a narrow street thus not leaving a lot of space for parking. Mr. Whitson stated he would park in the grass when he would return home from work. Mr. Whitson will be going away to college soon and that vehicle will not be parked there.

Under Old Business:

None

Under New Business:

1. Citizen's Comments --None

The next meeting is scheduled for August 28, 2007 at 5:00 p.m.

With there being no further business, the July 24, 2007 Code Enforcement Board was adjourned.

ATTESTED: SECRETARY

CHAIRMAN